

Forest Health Strategy Work Group

September 15, 2004: Fifth Meeting
Amerihost Inn, Conference Room 102
Moses Lake, Washington

Members Present:

Pat McElroy, Chair, DNR Staff
Karen Ripley, Coordinator, DNR Staff
Vicki Lee, Secretary/Meeting Minutes, DNR Staff
Rich Fonda, Fire Ecologist, WWU
Maurice Williamson, Small Forest Landowner Advisory Committee
Mike Petersen, The Lands Council
Rick Brazell, USDA Forest Service
Bruce Lippke, UW College of Forest Resources
Mike Blankenship, Ferry County Commissioner
Peter Heide, Washington State Society of American Foresters
John Mankowski, WA Dept. of Fish and Wildlife
Ron Shultz, Executive Policy Advisor, Governor's Executive Policy Office
John St. Pierre, Confederated Tribes of the Colville Reservation

Absent:

Barry Moore, WSU Dept. of Natural Resource Science
Steve Tveit, Boise Cascade
Bob Gara, Forest Entomologist, UW College of Forest Resources

Guests:

Elaine Oneil, UW College of Forest Resources
Howard Thronson, Product, Sales and Leasing Manager – DNR, State Lands

CALL TO ORDER:

Pat McElroy called the meeting to order at 9:00 a.m. Introductions were made. A safety briefing was given. McElroy made a motion to review and approve the minutes from the August 18th meeting; minutes were approved. Karen Ripley went over the agenda for the day and what we needed to accomplish. Ripley emphasized the main accomplishment of this meeting is to get explicit consensus on whether landowners have a responsibility to manage their land to a specific standard, and should they be held to that standard in some enforceable way. She also pointed out that we have three more meetings scheduled. The October meeting will be a two-day meeting. We need to pay attention to the tasks we still need to do, as well as how to go about doing them. Ripley instructed a couple corrections had been made to the Washington Law Matrix that was handed out at the August meeting. A corrected version is now posted on the Internet.

View Statewide Risk Maps from Various Sources – Karen Ripley (handout of presentation)

Ripley showed the map Mark Gray displayed in the last meeting that only shows the hazards on DNR protected lands. She explained we got some of the information on risks from the Forest Service, who compiled a vivid analysis, but did it on a National scale. Two components of their analysis were:

1) The Historical Natural Fire Regimes Map, which depicts the intervals that fires previously burned, and 2) The Current Fire Regime Condition Classes Map, which shows deviation from historic fire regimes. In spite of published warnings not to use the information at a fine scale, she displayed maps showing only Washington, clipped from the National map. Condition Class I, the green, shows fire regimes are still within an historical range, and the risk of losing key ecosystem components is low. Vegetation attributes (species composition and structure) are intact and functioning within an historical range. Condition Class II, the yellow, shows fire regimes have been moderately altered from their historical range. The risk of losing key ecosystem components is moderate. Fire frequencies have departed from historical frequencies by one or more return intervals (either increased or decreased). This result is a moderate change to one or more of the following: fire size, intensity and severity, and landscape patterns. Vegetation attributes have been moderately altered from their historical range. Condition Class III, the red, shows fire regimes have been significantly altered from their historical range. The risk of losing key ecosystem components is high. Fire frequencies have departed from historical frequencies by multiple return intervals. This results in a dramatic change to one or more of the following: fire size, intensity, severity, and landscape patterns. Vegetation attributes have been significantly altered from their historical range. Ripley went on to say the condition class information is also available through DNR's website. For the purpose of reporting to the legislature she was comfortable using these clipped maps.

Another way we have been taking about risk and hazards are the annual bug maps, which show where the activity is occurring currently. We should focus on the perimeter of these areas where there the bug activity is occurring, so future activity could be reduced.

McElroy commented that we all recognize that endemic levels of insect and disease occur in the forests. One of the issues in existing legislation says you're going to violate nature and obliterate all these critters. How do we know when it is outside of the range of manageable occurrence? How do we know when it is beyond what we could expect? We want to focus our attention on unsustainable forest epidemic.

Elaine Oneil suggested tempering it with what is also an acceptable societal norm.

John Mankowski stated we need real data; inventory information would be very useful.

Peter Heide agreed with John and said we need to identify information gaps so they can become part of this plan.

Mankowski asked, "What is available for maps?" (Soils, moisture, elevation)

Ripley replied she thinks we are appropriately identifying that there is a data gap, but wonders if this group could come to some sort of finer recommendation about how to address it. It sounds like we need a subcommittee. Do we do it; or do we recommend that the legislature develop a committee?

McElroy added at this point we should identify the data gap, and then what kind of recommendation should go to legislature. Monitoring systems, timely reporting, and public information are all integral parts of that piece.

Bruce Lippke suggested a set of forest types that are sufficiently detailed so threshold is meaningful. We need more overlays.

Heide asked, "What would it cost?"

Mike Petersen agreed and suggested one of the overlays should be a precipitation pattern like they do with watersheds. The huge red areas on the map are only going to be a problem to us if there has been

1 huge fires or an insect outbreak; but if we can prioritize by overlays which areas are more drought
2 susceptible, etc., then we can narrow it down to where we have to start.

3
4 Rich Fonda indicated that a section of our report should be “Research needs for the future.”

5
6 McElroy explained that we have to find out what other people are actually doing and find out what
7 partnerships are available.

8
9 Heide expressed a concern about the term “standards”. He felt “range of conditions” was more
10 appropriate. **It was agreed.**

11
12 McElroy said there are two elements. First, we have heard snippets of this and snippets of that. We need
13 to take the existing information, see what is available, and see if it works together. Then second, you will
14 decide whether or not we have enough information to do it. We have not had a comprehensive study.
15 That takes time, effort, staff and money.

16
17 We don’t have a range of guidelines for what is safe. Even with those guidelines, we need the capacity to
18 monitor and adapt.

19
20 Maurice Williamson pointed out we are missing a GIS layered version of that kind of information. The
21 FIA is the current ground calibration; but it gets pretty risky to take that ground calibration and apply it to
22 a GIS layer and associate it with a polygon and say, “Oh! Now this whole polygon has this
23 characteristic”. Williamson acknowledged that Ripley called for a subcommittee, Heide called for
24 committee to come up with some numbers fiscally, and Lippke talked about how varied the problem is.
25 How fine are we going to try to get this? Is it a biological problem, or an ownership problem?
26 Williamson commented those are the types of questions the legislature will want to get their teeth into.

27
28 McElroy addressed the idea of a subcommittee.

29 **Action: Maurice Williamson, Pete Heide, and Bruce Lippke were appointed to the committee.**
30 **They will identify what is available, identify the data gaps, and identify what opportunities might**
31 **exist off the shelf.**

32
33 John St. Pierre explained what they have on the Reservation, to basically tell them how much they can cut
34 and how much can they sustain. St. Pierre wanted to know what succession this specific stand is in. They
35 go out and collect information on brush and under the canopy too. They are collecting more than tree
36 data. It might be helpful.

37
38 McElroy stated that the question is, “What role should the State play on federal and tribal lands?”

39
40 Howard Thronson asked, “Where does this all fit in the charge in the statutes?”

41
42 McElroy replied, “We are developing the Strategic Plan.” There are three elements to the Strategic Plan:
43 1) What are we going to do on state and private lands, 2) What roles should the state play? 3) What roles
44 should the State play on federal and tribal lands? The first thing we are going to do is work our way
45 through what’s the state law for state and private lands, that’s the area legislature has direct authority
46 over. Then we will address the federal and private lands; that’s the area legislature has less authority
47 over.

48
49 St. Pierre brought up Fire Planning Units (FPU’s).

McElroy advised we should put the topic aside for now, and move on to the next agenda item.

Conclusion

- We can pirate some nice pictures, but don't have enough information to make location-specific assessments or set priorities.
- Need to develop desired future ("range of conditions") for specific plant associations or physical parameters (elevation, aspect, and soils).
- Need to have outside group analyze real inventory data or remote sensing information to determine which areas are outside that range of conditions and the priority for treatment, by county or ecoregion.

Background

McElroy advised the reason this group was brought together, is that the DNR, private, and federal landowners have told legislators, "We do have a Forest Health problem."

Protocol

McElroy requested that members do not impute motives to other folks, and that we recognize all landowners around the table have objectives. There is a wide range of objectives and regardless of agency or individual please be more polite about landowner objectives.

Incentives – Bruce Lippke (handout of presentation)

Incentives are: 1) Miracle prescription to change behavior, 2) Subsidy for doing what you would do anyway, 3) Counterproductive to objectives, and 4) All of the above? What do we want to incentivize?

1) Reduced beetle kill and disease i.e. density control, 2) Reduced catastrophic fire risk i.e. ladder fuel control, 3) Sustainable forests, and 4) All of the above? Lippke gave two examples of case studies with four different treatments and outcomes on a managed ponderosa forest and managed mixed conifer forest ready for removal. Lippke explained the four metrics for guidance they used: 1) Economics: net present value (NPV) (at a discount rate of five percent) and sustain cash flow 90+ years, 2) BA density – manage threshold to reduce beetle risk, 3) Fire risk (crown fire index from forest fuel extension model less than 25 mph equals high risk), and 4) No Management. All treatments except "no management" were designed to control density but not all are economically sustainable or lower fire risk.

Lippke pointed out, based on these demonstrations both the pine and mixed conifer maximum NPV case should only need education, requiring more coached planning and some economic token for attending. Removing non-merchantable pulp logs may be unlikely without an incentive to cover a cost of up to \$300/acre. With infrastructure if you get the hog fuel boilers close enough, and just get a little bit of subsidy you can get most of that material to come out and be doing something constructive. The land tax is 1.3 percent. The number isn't big enough to do much with to motivate people to believe differently. Furthermore, it's important to the local beneficiaries, so it would be like pulling teeth to redirect it. The non-market values are pretty large. But the question is who is going to pay?

McElroy asked, "Do we have examples where incentives actually work to achieve desirable behavior?"

Answer: No. McElroy said, "It's the cognoscenti who know about the program, apply for it, and get the money."

Lippke suggested putting it on a bidding basis.

Williamson commented both examples were good to begin with, but many landowners have higher needs initially, which could be a problem. Funding for programs such as cost share programs and education programs changes dramatically from year to year. We need some consistency.

Discussion

McElroy advised recently state legislation took all the money out of the budget for the stewardship program. We are left strictly with federal funds, which are very variable.

Lippke maintained that incentives could work fabulously because no one has really tried. Incentive programs are designed to motivate you to do something differently in a significant way.

McElroy pointed out if riparian requirements to meet specific streamside objectives are not attainable or sustainable, then we ought to be looking at science to change the requirements.

Ripley emphasized our conclusion, as a committee can be part of those recommendations about managing eastside riparian areas. We can look and see where the conflicts are between the basal area requirements for a specific riparian function and a desire for stability. We can encourage the determination, and adoption of ways to preempt contagious fire and beetle out breaks.

Lippke said that RTI's Fact Sheet #25 (eastside version) extracts the very same thing. It attempts to figure out what's the Alternative Plan that, achieves the objectives of the riparian function and avoids the health problems. (Insects, fire contagions)

Fonda suggested after seeing the map for the first time today to keep eastern Washington in yellow and red so we can multiply out the extended values to see how much cost we are talking about.

St. Pierre suggested we could bring logging costs down by larger scale cooperative projects.

Mankowski pointed out incentives must focus in key area for key focused problems. Limiting factors analysis can direct efforts and measure real success, i.e. salmon recovery model.

McElroy commented that it seems to him in the incentives, there should be a couple of principles: 1) Worst first approach, and 2) Competitive bidding. We need to be realistic. Incentives as they have been used across the country have not always worked efficiently.

McElroy gave an example where the state kicked in money for a FIA sample system. We do have a system in place. We should talk to FIA and find out: 1) About doubling the intensity, 2) How long would it take, and 3) How much would it cost?

Heide agreed with St. Pierre, that the idea of cooperatives could lower costs, and get larger projects done. That we should identify areas as "of concern", such as incentives for communities. Peer pressure and regulatory relief can help people get through. We should have an agency there to help coordinate, to show leadership, and get folks off the dime.

Williamson added that the criterion for family forest plans needs to address forest health in a meaningful way.

McElroy advised to watch as the next Farm Bill develops; it may have to be restructured entirely to eliminate all forms of direct cash subsidies to farmers. If that's the case, then there will be a major effort to compensate farmers who provide public services; this would be an indirect subsidy. It would be more a conservation type Farm Bill rather than a price support Farm Bill.

Forest Health Laws and Statutes from other States – Karen Ripley (2 handouts)

Ripley reported a questionnaire was e-mailed out, with some background and questions to the State Foresters. They heard back from 17 states and the Virgin Islands. The questions asked were: 1) Do you have forest health protection statutes in your state? 2) What role does the State Forestry office play in forest health protection? 3) Are there landowner requirements compelling or suggesting landowners take action to prevent or control the spread of insects or diseases, or to treat or mitigate any fire hazards resulting from insect or disease outbreak? These are some of the results:

Every state enters into cooperative agreements with the Forest Service
In almost all states, Agriculture departments monitor non-native insects and diseases
15 states investigate and survey
15 states give notice, and offer technical assistance
6-8 states coordinate control
8 states have no mandate for control of native insects and diseases
8 states establish a control zone, (AL, ID, MN, TX, VT, OR, NV, and CO)
TX requires an aggressive treatment of bark beetles with pesticides, but does not enforce it
CO negotiates a plan
In ID and MN it's not mandatory to participate in control programs
AR promotes leadership, conservation and stewardship
AL, CO, NV, and VT undertake control and act as the coordinating agency
4 states have a delivery of federal cost-share for Rx burning, prevention and urban forestry
3 states adopted regulations to protect forestland from fire and other destructive agents (NV, AK, and ID)
AK enforces its regulations requiring spruce slash be cleared to prevent spruce beetle activity
DE, UT, and LA have voluntary standards for managing forestland
In AK, MT, and OR slash management is mandatory to prevent bark beetle or fire hazard
AK does not require mitigation of fire hazards that result from insect outbreaks
OH requires fuel treatments regardless of how the fuel developed
AL carryover funds from year to year
ID has available a \$250,000 line of credit with the government
OR and NV county collects payments
AK provides protection commensurate w/value of resources
AZ, UT has the authority to regulate building codes and tax incentives
In CO the county takes the lead
LA has a specific complaint resolution panel via Sustainable Forest Initiative Committee
Ohio sounds like the most aggressive state, but enforcement history is unknown

Conceptual Model of a Three-Tier System – Karen Ripley (handout)

The group was given fifteen to twenty minutes to go over the handout and note comments or questions; then a discussion ensued.

Heide stated Tier 1 should include after information is widely available, "technical assistance is provided", "for access to services", etc. Include more verbiage.

Lippke said we need more educational and technical assistance.

Williamson suggested beefing up the wellness approach going from laissez-faire to structure in Tier 1 significantly before Tier 2. Add reference to conditions "at historic endemic levels across the landscape".

Fonda said the order needs to be parallel. Add reference to conditions "at historic endemic levels across the landscape."

1 McElroy advised the question we have here largely results from the conversation we had at our last
2 meeting, which seems to be a continuum of our efforts and it would seem more in part of how the entire
3 statues and programs work so that we can have a freedom approach. We see this as a continuum, and it
4 would be our hope that we never move out of Tier 1. Tier 2 is out of balance. Tier 3 has virtually gone to
5 conflagration status.

6
7 Heide ideas:

- 8 ■ Tier 1 general statewide wellness
 - 9 ○ Survey, mapping
 - 10 ○ Generalize customers practices for Forest Health
- 11 ■ Tier 2 is too harsh
 - 12 ○ This is an area where we have a big problem
 - 13 ○ Not a place you draw hard-lines for compliance
 - 14 ○ “Area of concern”; not area of hazard
 - 15 ○ Apply CWPP concept to more forestland (not just WUI)
 - 16 ○ Engage cooperatives of willing landowners
 - 17 ○ Tier 2 should be made less directive or threatening.
- 18 ■ Tier 3 should have consequences, hard-line drawn on ground.

19
20 Mike Blankenship Tier 2 should be a place for incentives/cost share.

21
22 McElroy pointed out the best place to put money is on prevention, not corrective action. Most of our cost
23 share programs have perverse incentives; we reward the wrong provisions.

24
25 Heide emphasized Tier 2 would be specific identified problems that exist today. We could use the same
26 dollars that are available as Tier 1.

27
28 Ron Shultz asked how Tier 3 differs from the current authority in RCW 76.06.

29
30 Ripley replied that the main difference is that it would be a very extreme circumstance that we would get
31 to a place that DNR would manage the land. It’s the landowner’s job to implement management.
32 The penalty in Tier 3 would be more along the lines of a financial penalty or incurring liability for that
33 fire hazard that resulted.

34
35 Shultz agrees to put more emphasis on Tier 1 and 2, and we will be more successful.

36
37 Petersen said Tier 1 is one of the most important parts of this. Petersen went on to say that in the
38 description DNR should be listed first, because they are the ones that have to do a lot of things in order to
39 inform the landowners that they really do have a problem. There needs to be a practicality associated
40 with it; or cost would be astronomical. Don’t have a Tier 3, if you don’t intend to use it.

41
42 Shultz suggested on Tier 2 when hazardous areas have been identified then changes should be made on
43 forest practices. People might need a different application or outreach effort, as you’d be looking at the
44 plan differently.

45 Example: “Your application is harvesting this area. Right next to it you have a forest health problem.
46 Have you thought about treating this at the same time? Understand if you don’t address this area over
47 here you will have these liabilities and risks.”

48
49 Lippke commented that in Tier 1 you need assistance for voluntary plans; and in Tier 2 you need
50 assistance to develop a response plan in targeted areas. This doesn’t necessarily change your forest
51 practice application plan; it just means you need some extra assistance to do a specific response plan.

1 Williamson pointed out there has been lax administration of the narrative guidelines regarding seed trees.
2 We need to pay more attention to administering the narrative in Tier 2.

3
4 Heide suggested creating a community organization.

5
6 McElroy stated everyone has been pointing their fingers at the Forest Service, but there are a lot of other
7 groups with diverse objectives: National Parks, State Parks, National Area Preserves, Resource
8 Conservation areas, and Fish and Wildlife Refuges. What about non-commercial?

9
10 Mankowski encouraged getting local folks together. They can come to the table with their own capacity.
11 The advantage of doing that is they could look at a watershed map and come up with watershed level
12 goals.

13
14 St. Pierre gave a scenario of what they do on the Reservation. They start out with nine resource
15 management units. Under that put the land they were dealing with, divided into similar blocks and
16 watersheds. They deal with Priority One and Priority Two. Priority One is basically a Tier 3. When they
17 have a Priority One they have a problem, so they say, "This is a watershed. This is what we are going to
18 do," and invite everybody to go there to discuss and view and solve. Decide what risks they are willing to
19 take. Go with the agreement of management; as they don't want to get stuck if an outsider files a lawsuit.

20
21 McElroy summarized St. Pierre's comments. Call group together at a Tier 2 level to make determinations
22 and look at the outer boundaries. Then this community group allocates roles and devises solutions.

23
24 Petersen disagreed; he suggested the group be called together in a Tier 1. If contacted in Tier 2, then its
25 too late. Need to think of the watershed approach as a wellness thing. Don't wait till you have a problem.

26
27 Brazell agreed with Petersen to get your groups together before problem (i.e., overstocked watershed,
28 overstocked stand, potential insect outbreak).

29
30 Fonda replied that DNR should take the lead to convene stakeholders in a watershed or landscape unit.

31
32 McElroy asked what Ripley had in mind on items one and two of DNR's Tier 1 responsibility.

33
34 Ripley replied she saw one and two as being those two bullets that were up on the screen in the discussion
35 of the risk map; 1) Devising the desired future conditions, and 2) Analyzing the inventory to determine
36 the location and priority of the high risk areas across the state. Both need to happen right away.

37
38 McElroy asked if we saw those being done on a Regional basis with all landowners.

39
40 Ripley replied that it would depend on resources available.

41
42 St. Pierre emphasized we need to get everyone on board first and talking. Then say we are going to do
43 our best to address these problems. He thinks this will help everyone on the long run.

44
45 McElroy advised DNR only has the authority on state and private land. So there is another tier here, what
46 do we do to influence federal and tribal lands?

47
48 Heide agreed to get large groups together to work on large areas. But, the trouble is you see a lot of that
49 and it ends up getting put on the shelf. So he sees Tier 2 as being tied to an actual place where something
50 has to be done, issues need to be addressed, and something has to happen. Maybe we do need a review of
51 the state when the data all comes in to make decisions on priorities. He thinks we should get people

1 working on something they can get their arms around. DNR should be involved and take the lead on
2 number one and two of Tier 1.

3
4 Shultz advocates that the Commissioner needs to respond when the committee or group identifies the
5 priority problems.

6
7 McElroy replied should the community group meet before or after the Commissioner's Order; or should
8 they put a ring around the problem and use that to advise the Commissioner on what to require in taking
9 the next steps.

10
11 Shultz responded that Tier 2 should have trigger for group to request, and also preserve the
12 Commissioner's authority to step in.

13
14 Heide pointed out Tier 1 is us; Tier 2 is more local or specialized. Have data problem. Commissioner
15 can't declare if he doesn't know there is a problem. Top/down information is needed for Commissioner,
16 and local group. Local groups will provide a better response. Local groups have more ownership.

17
18 McElroy advised there should be two triggers in the system: 1) Top down, and 2) Bottom or middle up.
19 Commissioner has the authority to pull the trigger. He has no problem with requests to the
20 Commissioner, or petitions to the Commissioner.

21
22 Petersen stated that the Community Wildfire Planning process could be expanded to add forest health.
23 Then you don't have to create a separate infrastructure, you have the entire community, and you're
24 getting all this information passed back at the state level.

25
26 Blankenship said lets say a community identifies a problem, then at that time a local person calls the
27 group together, gets plan made to solve problem, the group dissolves, and then they move on.
28 Blankenship feels all landowners are going to be receptive to this, as they are going to be getting help.
29 This is a much better approach. We expect advice from DNR to local groups.

30
31 Williamson instructed that the state would need to be a strong leader. Forest health is a very complex
32 issue, particularly in eastern Washington. We need the support of county officials, and maybe more than
33 one county.

34
35 If DNR and local groups are expected to develop a plan, they need to be given a time frame. If plan is not
36 developed, then state should do it.

37
38 The leadership role does not have a black hat. It's more regulatory. You're far better off with the
39 education role and assistance role helping the locals put the plan together coming from WSU Extension
40 and not a DNR regulatory person.

41
42 McElroy asked Heide to comment.

43
44 Heide commented that penalties would have to be sold to any landowner group. Assistance is needed on
45 how to solve the problems.

46
47 Thronson advised that DNR as a state landowner obviously has a vested interest in maintaining forest
48 health in perpetude as part of our mission. As a forest landowner we have a set of directions through our
49 Board of Directors, and as a forest landowner we have a concern on who are the stakeholders. As Lippke
50 put out there this morning, which desired featured outcome fits my corporate mission? Does it fit

1 stakeholder's desired featured outcome? State lands could work when problem is identified, but it is hard
2 to satisfy all stakeholders.

3
4 Fonda said it reminded him of a parable, "Using a Tier 3 Commissioner's order would be like calling
5 technical fouls in High School basketball. Don't want to call Tier 3, but must have it."

6
7 Ripley asked for ideas on whether we need a Tier 3.

8
9 Shultz replied we should keep it as a tool.

10
11 Mankowski replied its better have to fall back on. We need to have that tool in our back pocket.

12
13 Lippke commented that it's necessary to set higher Tiers for those who don't do their jobs.

14
15 McElroy asked if anybody in the group felt that Tier 3 is in some way inappropriate. He also asked,
16 under what conditions is a Tier 3 appropriate?

17
18 Blankenship replied it would be appropriate for refusal to take action.

19
20 Brazell stated that the landowner is responsible to designate a responsible official so we know who is in
21 charge of each piece of land. We can fix that by putting that in Tier 2.

22
23 Williamson said he thinks a letter should go out to all involved.

24
25 Petersen is concerned that Tier 2 and 3 are too vague. We need to define more carefully, and focus on
26 Tier 1. Some issues only trigger Tier 1 and 2.

27
28 Mankowski agreed. Tier 3 is a smaller subset.

29
30 McElroy commented that it depends on what you want Tier 3 to do. If you want Tier 3 to deal with the
31 symptom that exists or prevent the problem.

32
33 Mankowski feels subjectiveness is important in Tier 2 and 3.

34
35 Heide pointed out that when you get to a Tier 3, it is causing a significant amount of damage.

36
37 Shultz advised again we have to come back to RCW 76.06, define the forest health emergency, and if you
38 fail and your failure represents a threat, then you must accept liability and offset costs to others.

39
40 Tier 3 – If reason for non-action is financial, then need help.

41
42 McElroy replied that it will always be financial.

43
44 McElroy instructed that Tier 2 and 3 are not different they just have different consequences.

45
46 Heide indicated one of his concerns was setting hard boundaries at a Tier 2 level. On a Tier 2 level we
47 should still focus on getting voluntary compliance.

48 McElroy asked at what point do you trigger Tier 2? What's the trigger? You almost need a Tier 2a and a
49 Tier 2b. Use Tier 3 as a vehicle.

50
51 Need to de-couple Tier 2 and Tier 3

1 Four tiers are good but too complicated.

2 **Action:** Heide and Ripley work together on Tiers.

3
4 Brazell suggested that if there is a possibility of the Commissioner putting out a proposed order, the
5 public should have a 30-day period to respond.

6
7 Shultz said you might want to check with your AG on requirements or constraints when consequences
8 include that the landowner must take action or incur liability.

9
10 Thronson advised that SEPA would kick in at some point.

11
12 McElroy advised we looked at issues with SEPA. There has to be due process. There is another group of
13 us that are looking at some of that detail and how does it work aspect. We didn't want to bog this group
14 down.

15
16 Mankowski stated we need recommendations on how Tier 3 would be responded to on other state lands.

17
18 McElroy said that we needed to spend our energy on state and private lands where we have more
19 persuasion.

20
21 Heide suggested dealing with some of those outstanding things later.

22
23 Williamson expressed concern that the anticipation of needing to pay will create a furor.

24
25 **Assignments**

26 The work group shall:

27
28 (a) Determine whether the goals and requirements of chapter **76.06 RCW** are being met with regard to
29 the identification, designation, and reduction of significant forest insect and disease threats to public and
30 private forest resources, and whether the provisions of chapter 76.06 RCW are the most effective and
31 appropriate way to address forest health issues; (**Join with "h"**)

32 **Lead: Karen Ripley, Ron Shultz, and Bob Gara.**

33 **Others:**

34
35 (b) Study what **incentives** could be used to assist landowners with the costs of creating and
36 maintaining forest health;

37 (c) Identify **opportunities and barriers** for improved prevention of losses of public and private
38 resources to forest insects, diseases, wind, and fire;

39 **Lead: Bruce Lippke, Maurice Williamson, and Steve Tveit.**

40 **Others:**

41
42 (d) Assist the commissioner in developing a strategic plan under section 3 of this act for increasing
43 forest resistance and resilience to forest insects, disease, wind, and fire in Washington.

44 **Lead: Pat, Karen, and all.**

45 **Others:**

46 (e) Develop funding alternatives for consideration by the legislature;

47 **Lead: Pete Heide, Mark Gray (DNR), and Mike Blankenship.**

48 **Others: "missing data group" also provide information to (e) group.**

(f) Explore possible opportunities for the state to enter into cooperative agreements with the federal government, or other avenues for the state to provide input on the management of federally owned land in Washington;

Lead: Rick Brazell, Karl Denison, Ron Shultz, John St Pierre, and Mike Petersen.

Others:

(g) Develop recommendations for the proper treatment of infested and fire and wind damaged forests on public and private lands within the context of working with interdisciplinary teams under the forest practices act to ensure that forest health is achieved with the protection of fish, wildlife, and other public resources;

Lead: Gary Berndt (DNR), Rich Fonda, and John St. Pierre.

Others: Note: group will consider a larger context than just post-disturbance application of the forest practices rules.

(h) Analyze the state noxious weed control statutes and procedures (chapter 17.10 RCW) and the extreme hazard regulations adopted under the forest protection laws, to determine if the policies and procedures of these laws are applicable, or could serve as a model to support improved forest health; and **(Join with “a”).**

(i) Recommend whether the work group should be extended beyond the time that the required report has been submitted.

(4) The work group shall submit to the department of natural resources and the appropriate standing committees of the legislature, no later than December 30, 2004, its findings and recommendations for legislation that is necessary to implement the findings.

Lead: Karen Ripley, and Pat McElroy.

Action: Ripley will send out assignments and e-mail addresses. Papers can be a few paragraphs up to and no more than two pages. E-mail a copy of your paper to Ripley no later than October 4th. Ripley will e-mail a copy to all members by October 6th. Vicki will mail hard copies.

Action: McElroy and Ripley will continue to work on Strategic Plan. If you have any comments, please e-mail them to Ripley no later than October 13th.

Agenda Items for October Meeting

- Barry Moore gives presentation on watershed function
- Chapter - Forest Practice Board needs to be more cognizant of how their rules affect forest health (Need to take a larger look at forest health and the issues in Forest Practices) **Karen will ask Tveit**
- Fire = Lynchpin
- Report on all ID data gaps and sources of data to fill gaps by Bruce Lippke
- Review all assigned documents on Day 1 (Mankowski will not be in attendance Day 2)
- Have Steve Saunders come and facilitate discussion on Conceptual Model Three-Tier
- DNR obtain assistance on precise how to write precise legislation

The Meeting adjourned at 4:00 p.m.

The next meeting will be 9:00 a.m. to 4:30 p.m., Wednesday and Thursday, October 13th and 14th, in Spokane, Washington at the Ramada Inn Airport, Washington Room. Address: 8909 Airport Road, Spokane, WA. To make reservations call 509-838-5211. This hotel is in easy walking distance of the Spokane Airport.